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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/590,602	08/24/2006	Ruediger Mosig	294608US8X PCT	8966

22850 7590 04/15/2009

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EXAMINER	
LEBASSI, AMANUEL	

ART UNIT	PAPER NUMBER
2617	

NOTIFICATION DATE	DELIVERY MODE
04/15/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/590,602	MOSIG, RUEDIGER	
	Examiner	Art Unit	
	AMANUEL LEBASSI	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 August 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *22-42* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *22-42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *24 August 2006* is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 22-27 and 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lupper et al. US 20040017800 in view of Makishima US 6906818.

Regarding claim 22, Lupper discloses a method for wireless data transfer between a first multimedia device and a second multimedia device, which first multimedia device and second multimedia device are connected via a wireless connection that is operated according to a first wireless standard or to a second wireless standard, which first wireless standard and second wireless standard are different from and/or not compatible with each other (paragraph [0010], **accesses by a station in a first system to stations of a second system based on a different technology and** paragraph [0022] **where the connection is wired or wireless and** paragraph [0023] **where stations of the one system can thus communicate with stations of the other system or technologies)**. Lupper discloses an application data receiving in which application commands, application parameters, and/or application data of the first wireless standard are received from an application of the first multimedia device (see claim 1,

forwarding data hence data is received- see MPEP 2173.05(h) Alternative Limitations). Lupper discloses a connection layer processing in which the application commands, application parameters, and/or application data are processed to obtain respective connection commands, connection parameters, and/or connection data of the first wireless standard (paragraph [0023], **where functions from a cellular radio telecommunications network can be made available to a data network so that it will be possible, for example, to authenticate and authorize a subscriber - see MPEP 2173.05(h) Alternative Limitations).** Lupper discloses a choosing in which the first wireless standard or the second wireless standard is chosen as a chosen wireless standard (paragraph [0023] where **different technologies can thus be combined in such a way that in each case the advantageous characteristics of devices based on other technologies can be utilized**). Lupper discloses an adaptation layer processing in which the connection commands, connection parameters, and/or connection data are processed to obtain processed connection commands, processed connection parameters, and/or processed connection data of the chosen wireless standard (paragraph [0023] **where combination of protocols are used - see** MPEP 2173.05(h) Alternative Limitations). Lupper discloses a link in which the processed connection commands processed connection parameters and/or processed connection data are linked via the wireless connection according to the chosen wireless standard (paragraph [0023] **where The station can be linked to the access device or**

the data network by means of a wired or wireless connection - see MPEP 2173.05(h) Alternative Limitations). However Lupper is silent on a sending in which the processed connection commands processed connection parameters and/or processed connection data are sent out via the wireless connection according to the chosen wireless standard.

Makishima teaches on a sending in which the processed connection commands processed connection parameters and/or processed connection data are sent out via the wireless connection according to the chosen wireless standard (claim 4, **where said image transmitting unit transmits the image data to said digital camera in response to input of the transmit command from said transmit-command input unit**).

At the time of invention, it would have been obvious to a person of ordinary skill to modify the invention of Lupper and add a sending in which the processed connection commands processed connection parameters and/or processed connection data are sent out via the wireless connection according to the chosen wireless standard. The motivation would be to display the image or data (col. 2, lines 62-67)

Regarding claim 23, Lupper discloses a method for wireless data transfer between a first multimedia device and a second multimedia device, which first multimedia device and second multimedia device are connected via a wireless connection that is operated according to a first wireless standard or to a second

wireless standard, which first wireless standard and second wireless standard are different from and/or not compatible with each other (paragraph [0010], **accesses by a station in a first system to stations of a second system based on a different technology and** paragraph [0022] **where the connection is wired or wireless and** paragraph [0023] **where stations of the one system can thus communicate with stations of the other system or technologies)**. Lupper discloses a transmission data receiving in which transmitted wireless data are received that have been transmitted via the wireless connection according to a chosen wireless standard that is the first wireless standard or the second wireless standard paragraph [0023] **where The station can be linked to the access device or the data network by means of a wired or wireless connection - see** MPEP 2173.05(h) Alternative Limitations). Lupper discloses an adaptation layer processing in which the transmitted wireless data are processed to obtain connection commands, connection parameters, and/or connection data of the first wireless standard (paragraph [0023], **where functions from a cellular radio telecommunications network can be made available to a data network so that it will be possible, for example, to authenticate and authorize a subscriber - see MPEP 2173.05(h) Alternative Limitations).** Lupper discloses a connection layer processing in which the connection commands, connection parameters, and/or connection data of the application wireless standard are processed to obtain respective application commands, application parameters, and/or application data of the first wireless

standard (paragraph [0023], **where functions from a cellular radio telecommunications network can be made available to a data network so that it will be possible, for example, to authenticate and authorize a subscriber - see MPEP 2173.05(h) Alternative Limitations).** However Lupper is silent on an application data processing in which the application commands, application parameters, and/or application data are provided to an application of the first multimedia device.

Makishima teaches an application data processing in which the application commands, application parameters, and/or application data are provided to an application of the first multimedia device (col. 7, lines 14-25 **where MIME decoding processing is executed in the mobile telephone**).

At the time of invention, it would have been obvious to a person of ordinary skill to modify the invention of Lupper and add an application data processing in which the application commands, application parameters, and/or application data are provided to an application of the first multimedia device. The motivation would be to display the image or data (col. 2, lines 62-67 where)

Regarding claim 24, Lupper discloses a switching of the chosen standard from the first wireless standard to the second wireless standard is performed by: opening a new and temporary additional wireless connection between the first multimedia device and the second multimedia device operating according to the second wireless standard, choosing the second wireless standard as the chosen

wireless standard, and operating the new wireless connection as the wireless connection (paragraph [0010])

Regarding claim 25, Lupper discloses herein the method for wireless data transfer realizes a point-to-point connection between the first multimedia device and the second multimedia device (paragraph [0001], where connections between a subscriber station and an access network are usually controlled via a point-to-point protocol (PPP0)).

Regarding claim 26, Lupper discloses wherein the adaptation layer processing is performed within an adaptation layer (paragraph [0024]).

Regarding claim 27, Lupper discloses wherein the chosen wireless standard is different from and/or not compatible with the first wireless standard such that a standard conversion is performed within the adaptation layer processing (paragraph [0016]).

Regarding claim 36, Lupper discloses wherein the first wireless standard and the second wireless standard are any of the following standards: IEEE 802.1 la, IEEE 802.1 lb, Bluetooth (BT), ZigBee, or IEEE 802.15.3; and the connection commands, connection parameters, and/or connection data correspond to any of the following standards: UDP/TCP, Bluetooth (BT) (paragraph [0019]).

Regarding claim 37, Lupper discloses a wireless data transfer system which is capable of and/or has means for performing or realizing a method for wireless data transfer according to claim 22 (paragraph [0060]).

Regarding claim 38, Lupper discloses A computer program product comprising computer program means adapted to perform and/or to realize a method for wireless data transfer according to claim 22, when the method is executed on a computer or a digital signal processing means (paragraph [0060])..

Regarding claim 39, Lupper discloses a computer-readable storage medium comprising a computer program product according to claim 38 (paragraph [0009]).

3. Claims 28-35 and 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lupper et al. US 20040017800 in view of Makishima US 6906818 and in further view of Fujioka US 6907227.

Regarding claim 28 Lupper modified by Makishima are silent wherein the chosen wireless standard is chosen depending on properties of the wireless

connection, a distance between the first multimedia device and the second multimedia device, arid/or depending on direct requests from the application.

Fujioka teaches wherein the chosen wireless standard is chosen depending on properties of the wireless connection, a distance between the first multimedia device and the second multimedia device, arid/or depending on direct requests from the application (col. 4 lines 40-48).

At the time of invention, it would have been obvious to a person of ordinary skill to modify the invention of Lupper and Makishima and add wherein the chosen wireless standard is chosen depending on properties of the wireless connection, a distance between the first multimedia device and the second multimedia device, arid/or depending on direct requests from the application. The motivation would be because standards depend on distance (col. 1, lines 21- 29).

Regarding claim 29, Fujioka discloses wherein the chosen wireless standard is chosen depending on a battery condition of the first multimedia device and/or depending on a battery condition of the second multimedia device (Fig. 3 and col. 5, line 23-36, depends on battery power).

Regarding claim 30, Fujioka discloses wherein the properties of the wireless connection comprise signal strength, quality of service, and energy efficiency (col. 7 lines 64-67 - QOS) .

Regarding claim 31, Fujioka discloses wherein the distance between the first multimedia device and the second multimedia device is determined based on positioning system data (col. 10 lines 65-67 - distance) .

Regarding claim 32, Fujioka discloses wherein the choosing of the chosen wireless standard is performed by a management unit (col. 6 lines 23-26).

Regarding claim 33, Fujioka discloses wherein the first multimedia device is a video camcorder and the second multimedia device is a data processing means (col. 4 lines 62-67).

Regarding claim 34, Fujioka discloses wherein the data processing means is a personal computer, a notebook, a video recorder, a television set, a personal digital assistant, a portable phone, a stereo headphone, and/or a mobile video viewer (see abstract) .

Regarding claim 35, combination of above discloses wherein the management unit informs the application which chosen wireless standard is chosen and the application adjusts a bit rate of the application data depending on the chosen wireless standard (see above).

Regarding claim 40, Lupper discloses a multimedia device connected with a further multimedia device via a wireless connection that is operated according to a first wireless standard or to a second wireless standard, which first wireless standard and second wireless standard are different from and/or not compatible with each other (paragraph [0010], **accesses by a station in a first system to stations of a second system based on a different technology and** paragraph [0022] **where the connection is wired or wireless and** paragraph [0023] **where stations of the one system can thus communicate with stations of the other system or technologies)**. Lupper discloses a connection layer configured to receive application commands, application parameters, and/or application data of the first wireless standard from an application layer, and further configured to process the application commands, application parameters, and/or application data, thus generating respective connection commands, connection parameters, and/or connection data of the first wireless standard (see claim 1, **forwarding data hence data is received- see** MPEP 2173.05(h) Alternative Limitations). Lupper discloses a choosing unit configured to choose the first wireless standard or the second wireless standard as a chosen wireless standard (paragraph

[0023] where **different technologies can thus be combined in such a way that in each case the advantageous characteristics of devices based on other technologies can be utilized**). Lupper discloses an adaptation layer configured to process the connection commands, connection parameters, and/or connection data thus generating processed connection commands, processed connection parameters, and/or processed connection data of the chosen wireless standard (paragraph [0023] **where combination of protocols are used - see** MPEP 2173.05(h) Alternative Limitations). Lupper is silent on sending means for sending out the processed connection commands, processed connection parameters, and/or processed connection data via the wireless connection according to the chosen wireless standard. However, Makishima teaches sending means for sending out the processed connection commands, processed connection parameters, and/or processed connection data via the wireless connection according to the chosen wireless standard (claim 4, **where said image transmitting unit transmits the image data to said digital camera in response to input of the transmit command from said transmit-command input unit**).

At the time of invention, it would have been obvious to a person of ordinary skill to modify the invention of Lupper and add sending means for sending out the processed connection commands, processed connection parameters, and/or processed connection data via the wireless connection

according to the chosen wireless standard. The motivation would be to display the image or data (col. 2, lines 62-67)

Lupper modified by Makishima is silent on a management unit configured to choose the chosen wireless standard depending on at least one of signal strength, quality of service of the wireless connection, a distance between the multimedia device and the further multimedia device, and/or depending on a direct request from the application. However, Fujioka teaches a management unit configured to choose the chosen wireless standard depending on at least one of signal strength, quality of service of the wireless connection, a distance between the multimedia device and the further multimedia device, and/or depending on a direct request from the application (col. 7 lines 64-67 - QOS and col. 10 lines 65-67 - distance).

At the time of invention, it would have been obvious to a person of ordinary skill to modify the invention of Lupper and Makishima and add a management unit configured to choose the chosen wireless standard depending on at least one of signal strength, quality of service of the wireless connection, a distance between the multimedia device and the further multimedia device, and/or depending on a direct request from the application. The motivation would be to utilize a better quality.

Regarding claim 41, Lupper discloses Method according to claim 40, wherein the chosen wireless standard is different from and/or not compatible with

the first wireless standard, and the adaptation layer is further configured to perform a standard conversion (paragraph [0023] **where combination of protocols are used - see** MPEP 2173.05(h) Alternative Limitations).

Regarding claim 42, Fujioka discloses Multimedia device according to claim 40, wherein the multimedia device is a video camcorder, personal computer, notebook, video recorder, television set, personal digital assistant, or a portable phone (col. 4 lines 62-67).

Conclusion

1. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Amanuel Lebassi, whose telephone number is (571) 270-5303. The Examiner can normally be reached on Monday-Thursday from 8:00am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Nick Corsaro can be reached at (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

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04102009

/NICK CORSARO/
Supervisory Patent Examiner, Art Unit 2617